

amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This interim rule has been reviewed under Executive Order 12866.

For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

There are approximately 31,200 cattle herds in North Carolina. An estimated 95 percent of the herds are owned by small businesses. Changing the status of North Carolina may enhance the marketability of cattle and bison from the State, since some prospective cattle and bison buyers prefer to buy cattle and bison from accredited-free States. This may result in some beneficial economic impact on some small entities. However, based on our experience in similar designations of other States, the impact should not be significant.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This document contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 77

Animal diseases, Bison, Cattle, Reporting and recordkeeping requirements, Transportation, Tuberculosis.

Accordingly, 9 CFR part 77 is amended as follows:

PART 77—TUBERCULOSIS

1. The authority citation for part 77 continues to read as follows:

Authority: 21 U.S.C. 111, 114, 114a, 115–117, 120, 121, 134b, and 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 77.1 [Amended]

2. In § 77.1, in the definition for *Modified accredited state*, paragraph (2) is amended by removing “North Carolina.”.

3. In § 77.1, in the definition for *Accredited-free state*, paragraph (2) is amended by adding “North Carolina,” immediately after “New York.”.

Done in Washington, DC, this 7th day of April 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–9161 Filed 4–12–95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 90–ANE–25; Amendment 39–9186; AD 91–10–03 R1]

Airworthiness Directives; General Electric Company (GE) CF6–45 and CF6–50 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revises an existing airworthiness directive (AD), applicable to General Electric Company (GE) CF6–45 and CF6–50 series turbofan engines, that currently requires repetitive inspections of high pressure compressor (HPC) rear shafts, and also requires installation of a certain rear shaft flange bolt configuration. This amendment clarifies that engines with a Parts Manufacturer Approval (PMA) bolt part number (P/N) installed must accomplish the inspection requirements of the AD, and allow the installation of the PMA bolt in lieu of the GE bolt. This amendment is prompted by the omission of the PMA bolt P/N from the current AD requirements. The actions specified by this AD are intended to prevent an HPC rear shaft fracture, which could result in an inflight engine shutdown and an uncontained engine failure.

DATES: Effective April 28, 1995.

The incorporation by reference of certain publications listed in the

regulations was approved by the Director of the Federal Register as of June 17, 1991.

Comments for inclusion in the Rules Docket must be received on or before June 12, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 90–ANE–25, 12 New England Executive Park, Burlington, MA 01803–5299.

The service information referenced in this AD may be obtained from General Electric Company, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Robert Ganley, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7138, fax (617) 238–7199.

SUPPLEMENTARY INFORMATION: On March 18, 1991, the Federal Aviation Administration (FAA) issued AD 91–10–03, Amendment 39–6956 (56 FR 19920, May 1, 1991), applicable to General Electric Company (GE) CF6–45 and CF6–50 series turbofan engines, to require repetitive inspections of high pressure compressor (HPC) rear shafts, and installation of a certain rear shaft flange bolt configuration. That action was prompted by reports of 35 HPC rear shafts found cracked in the bolt hole area. That condition, if not corrected, could result in an HPC rear shaft fracture, which could result in an inflight engine shutdown and an uncontained engine failure.

Since the issuance of that AD, the FAA has determined that Parts Manufacturer Approval (PMA) Production Approval Listing, Supplement No. 27, authorizes the use of Valley-Todeco (VT) bolt, Part Number (P/N) VCD0016, in lieu of GE bolt, P/N 1375M69P01. Since VT bolt, P/N VCD0016, and GE bolt, P/N 1375M69P01, are identical in design, paragraphs (a)(1)(v), (a)(2), and (a)(2)(v) of AD 91–10–03 should also apply to HPC rear shafts that are installed with VT bolt, P/N VCD0016.

The FAA has reviewed and approved the technical contents of GE Service Bulletin (SB) No. 72–958, Revision 1, dated October 18, 1990, that describes

procedures for inspection of HPC rear shafts.

Since an unsafe condition has been identified that is likely to exist or develop on other engines of this same type design, this AD revises AD 91-10-03 to continue the inspection requirements of the current AD, but adds HPC rear shafts that are installed with VT bolt, P/N VCD0016, to paragraphs (a)(1)(v), (a)(2), and (a)(2)(v). The actions are required to be accomplished in accordance with the service bulletin described previously.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 90-ANE-25." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-6956 (56 FR 19920, May 1, 1991) and by adding a new airworthiness directive, Amendment 39-9186, to read as follows:

91-10-03 R1 General Electric Company: Amendment 39-9186. Docket 90-ANE-25. Revises AD 91-10-03, Amendment 39-6956.

Applicability: General Electric Company (GE) CF6-45 and CF6-50 series turbofan engines installed on, but not limited to, McDonnell Douglas DC-10 series, Boeing 747 series, and Airbus A300 series aircraft.

Note: This AD applies to each engine identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For engines that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (e) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any engine from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent a high pressure compressor (HPC) rear shaft fracture, which could result in an inflight engine shutdown and an uncontained engine failure, accomplish the following:

(a) Fluorescent penetrant inspect HPC rear shafts, Part Numbers (P/N) 9127M58P03, 9079M63P12, 9079M63P15, 9079M63P16, 9079M63P17, 9079M63P18, and 9079M63P19, in accordance with the Accomplishment Instructions of GE Service Bulletin (SB) No. 72-958, Revision 1, dated October 18, 1990, as follows:

(1) For HPC rear shafts currently installed with hook bolts, P/N 9012M99G10, 9114M95G07, and 9114M95G10, inspect in accordance with the following schedule:

(i) For shafts which have not been previously inspected and have 10,000 cycles since new (CSN) or greater on the effective date of this airworthiness directive (AD), inspect within the next 1,500 cycles in service (CIS) after the effective date of this AD.

(ii) For shafts which have not been previously inspected and have less than 10,000 CSN on the effective date of this AD, inspect within the next 2,500 CIS from the effective date of this AD, or before accumulating 7,500 CSN, whichever occurs later. However, no shaft may exceed 11,500 CSN prior to inspection.

(iii) For shafts that have been previously inspected and have 3,000 cycles since last inspection (CSLI) or less on the effective date of this AD, reinspect within 4,500 CSLI, or before accumulating 7,500 CSN, whichever occurs later.

(iv) For shafts that have been previously inspected and have greater than 3,000 CSLI on the effective date of this AD, reinspect within the next 1,500 CIS from the effective date of this AD, or before accumulating 7,500 CSN, whichever occurs later.

(v) Remove from service, HPC rear shaft hook bolts identified in (a)(1) of this AD, after any inspection performed in accordance with paragraph (a)(1) of this AD, and replace with new tapered turn-around bolts, P/N 1375M69P01 or VCD0016.

(2) For HPC rear shafts installed with turn-around bolts, P/N 9249M54P01, or tapered turn-around bolts, P/N 1375M69P01 or

VCD0016, inspect in accordance with the following schedule:

(i) For shafts which have not been previously inspected and have 6,500 CSN or greater on the effective date of this AD, inspect within the next 2,500 CIS after the effective date of this AD.

(ii) For shafts which have not been previously inspected and have less than 6,500 CSN on the effective date of this AD, inspect prior to accumulating 9,000 CSN.

(iii) For shafts that have been previously inspected and have 3,500 CSLI or less on the effective date of this AD, reinspect within 6,000 CSLI, or before accumulating 9,000 CSN, whichever occurs later.

(iv) For shafts that have been previously inspected and have greater than 3,500 CSLI on the effective date of this AD, reinspect within the next 2,500 CIS from the effective date of this AD, or before accumulating 9,000 CSN, whichever occurs later.

(v) Remove from service, HPC rear shaft turn-around bolts identified in paragraph (a)(2) of this AD, after any inspection performed in accordance with paragraph (a)(2) of this AD, and replace with new tapered turn-around bolts, P/N 1375M69P01 or VCD0016.

Note: Information concerning the tapered turn-around bolt noted in paragraph (a) of this AD can be found in GE SB No. 72-877.

(b) Remove from service, prior to further flight, any shafts found cracked at inspection.

(c) Thereafter, for shafts which have been inspected in accordance with paragraph (a) of this AD, reinspect in accordance with the Accomplishment Instructions of GE SB No. 72-958, Revision 1, dated October 18, 1990, at intervals not to exceed 6,000 CSLI.

(d) Compliance with paragraph (a) of AD 91-10-03 satisfies the corresponding requirements of paragraph (a) of this AD.

(e) An alternative method of compliance or adjustment of the initial compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Engine Certification Office.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

(g) The actions required by this AD shall be done in accordance with the following service document:

Document No.	Pages	Revision	Date
GE SB No. 72-958	1-2 3-6	1 Original ..	Oct. 18, 1990. Aug. 15, 1990.
Total pages: 6.			

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of June 17, 1991. Copies may be obtained from General Electric Company, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on April 28, 1995.

Issued in Burlington, Massachusetts, on April 4, 1995.

James C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 95-9133 Filed 4-11-95; 11:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

15 CFR Parts 771 and 779

[Docket No. 950407090-5090-01]

RIN 0694-AB18

Establishment of New General License G-BETA for Exports of Certain Beta Test Software

AGENCY: Bureau of Export Administration, Commerce.

ACTION: Interim rule.

SUMMARY: This rule amends the Export Administration Regulations (EAR) by establishing a new General License G-BETA for certain exports of beta test software under the jurisdiction of the Department of Commerce. Under the provisions of this new General License, beta test software programs may be exported to all destinations except Country Groups S and Z, Iran, Iraq, Sudan, and Syria. Exporters are advised that certain restrictions apply, and should consult the EAR before using General License G-BETA.

This new General License eligibility will greatly reduce the number of validated license applications for certain software intended for mass-market distribution.

DATES: This rule is effective April 13, 1995. Comments must be received by May 30, 1995.

ADDRESSES: Written comments (six copies) should be sent to Nancy Crowe, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Nancy Crowe, Regulatory Policy Division, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482-2440.

SUPPLEMENTARY INFORMATION: This rule amends Part 771 of the Export Administration Regulations (EAR) by establishing a new General License G-BETA for certain exports of beta test software. This change will allow exports, under certain conditions, of software controlled by the Department

of Commerce on the Commerce Control List (Supplement No. 1 to Part 799.1 of the EAR), and under Commerce licensing jurisdiction, which would otherwise require a validated license to all destinations except Country Groups S and Z, Iran, Iraq, Sudan, and Syria.

This rule will allow shipment under General License G-BETA of beta test software programs that: (a) Are intended for export and reexport under the provisions of the General Software Note (Supplement No. 2 to Part 799.1 of the EAR) after completion of testing; (b) are provided free-of-charge or at a price that does not exceed the cost of reproduction and distribution; and (c) are designed for user-installation. In addition, the exporter must obtain a statement from each testing consignee prior to shipment certifying that the beta test software will only be used for beta testing purposes, and will not be rented, leased, sold, sublicensed, assigned, or otherwise transferred. Further, the statement must certify that the testing consignee will not transfer or export any product, process, or service that is the direct product of the beta test software. Software shipped under General License G-BETA must be destroyed abroad or returned to the exporter within 30 days of the end of the beta test period as defined by the software producer or, if the software producer does not define a test period, within 30 days of completion of the consignee's role in the test.

The following is a brief description of the development of this rule. In the Fall